

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 17, 2011

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JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 17, 2011

The Senate met in regular session at 9:07 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Merlin Bartz, member of the Senate from Worth County, Grafton, Iowa, who sang “Danny Boy” and was accompanied on the accordion by the Honorable Joe Seng, member of the Senate from Scott County, Davenport, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jared Elm.

The Journal of Wednesday, March 16, 2011, was approved.

INTRODUCTION OF GOVERNOR’S APPOINTEES

The Secretary of the Senate introduced JoAnn Johnson, the governor’s appointee to be the Superintendent of Credit Unions. She was the guest of Senators Anderson and Dandekar and the committee on Commerce.

The Secretary of the Senate introduced Michael Mauro, the governor’s appointee to be the Labor Commissioner. He was the guest of Senators Jochum and Horn and the committee on Labor and Business Relations.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:22 a.m. until 1:00 p.m., Monday, March 21, 2011.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Senator John W. Jensen, Plainfield—For celebrating his 85th birthday. Senator Dix (3/16/11).

Coach Earl Woudstra and the Northwestern Girls' Basketball Team—for being National Basketball Champions for the 2010–2011 season. Senator Feenstra (3/16/11).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, March 17, 2011, 12:30 p.m.

Members Present: Seng, Chair; Fraise, Vice Chair; Johnson, Ranking Member; Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, Kibbie, and Rielly.

Members Absent: Black (excused).

Committee Business: Passed [HF 532](#). Approved governor's appointees.

Adjourned: 12:40 p.m.

COMMERCE

Convened: Thursday, March 17, 2011, 2:00 p.m.

Members Present: Dandekar, Chair; Behn, Ranking Member; Beall, Bolkcom, Courtney, Kettering, McCoy, Schoenjahn, and Seng.

Members Absent: Rielly, Vice Chair; Anderson, Feenstra, Ward, Wilhelm, and Zaun (all excused).

Committee Business: Presentation by governor's appointee.

Adjourned: 2:05 p.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Thursday, March 17, 2011, 11:15 a.m.

Members Present: Soddors, Chair; Greiner, Ranking Member; Bowman, Chelgren, Dandekar, Danielson, Rielly, Whitver, and Wilhelm.

Members Absent: Dotzler, Vice Chair; Bacon, Bertrand, Hatch, Horn, and Ward (all excused).

Committee Business: Approved governor's appointee.

Adjourned: 11:20 a.m.

LOCAL GOVERNMENT

Convened: Thursday, March 17, 2011, 1:05 p.m.

Members Present: Wilhelm, Chair; Beall, Vice Chair; Bartz, Ranking Member; Bacon, Bowman, Ernst, Quirnbach, Rielly, and Schoenjahn.

Members Absent: Hamerlinck and McCoy (both excused).

Committee Business: Approved governor's appointees.

Adjourned: 1:20 p.m.

STATE GOVERNMENT

Convened: Thursday, March 17, 2011, 1:05 p.m.

Members Present: Danielson, Chair; Kibbie, Vice Chair; Feenstra, Ranking Member; Behn, Courtney, Dearden, Dix, Fraise, Jochum, Smith, and Soddors.

Members Absent: Bertrand, Hatch, Horn, and Sorenson (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 1:20 p.m.

INTRODUCTION OF BILLS

Senate File 508, by committee on Appropriations, a bill for an act relating to state and local financial matters by revising certain appropriations and appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 509, by committee on Appropriations, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

SSB 1201 Appropriations

Making supplemental appropriations for the fiscal year beginning July 1, 2010, for the state public defender and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 507

WAYS AND MEANS: Black, Chair; Bartz and Hogg

House File 345

JUDICIARY: Fraise, Chair; Boettger and Dvorsky

House File 490

JUDICIARY: Jochum, Chair; Hogg and Whitver

House File 540

JUDICIARY: Fraise, Chair; Hogg and Sorenson

House File 563

JUDICIARY: Hogg, Chair; Dix and Horn

SSB 1201

APPROPRIATIONS: Hogg, Chair; Dvorsky and Kettering

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [HOUSE FILE 532](#) (formerly [HF 355](#)), a bill for an act relating to agriculture, by eliminating certain powers of and requirements administered by the department of agriculture and land stewardship.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Seng, Fraise, Johnson, Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, Kibbie, and Rielly. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Bill Title: [*SENATE FILE 508 \(SSB 1185\)](#), a bill for an act relating to state and local financial matters by revising certain appropriations and appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Dvorsky, McCoy, Kettering, Bartz, Black, Boettger, Bolkcom, Danielson, Dix, Dotzler, Fraise, Hancock, Hatch, Hogg, Houser, Jochum, Johnson, Kapucian, Ragan, Schoenjahn, and Seymour. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 508](#), and they were attached to the committee report.

ALSO:

Bill Title: [*SENATE FILE 509 \(SSB 1192\)](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, McCoy, Black, Bolkcom, Danielson, Dotzler, Fraise, Hancock, Hatch, Hogg, Jochum, Ragan, Schoenjahn. Nays, 8: Kettering, Bartz, Boettger, Dix, Houser, Johnson, Kapucian, and Seymour. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 509](#), and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: [HOUSE FILE 195](#) (formerly [HF 66](#)), a bill for an act relating to assignment of visitation or physical care parenting time for children of military service members on active duty and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN [S-3132](#).

Final Vote: Ayes, 10: Beall, Danielson, Seymour, Bacon, Black, Ernst, Greiner, Horn, Kibbie, and Ragan. Nays, none. Present, 1: Soddors. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendation for confirmation:

AGRICULTURE

Lori Goetzinger – Iowa Grain Indemnity Fund Board
Sharon Smith – Iowa Grain Indemnity Fund Board

Dale Farnham – State Soil Conservation Committee
Charles McCullough – State Soil Conservation Committee
Harold Whipple – State Soil Conservation Committee

ECONOMIC GROWTH/REBUILD IOWA

Eric Peterson – Iowa Finance Authority

EDUCATION

Jeff Gitchel – Iowa Autism Council
Rachel Heiss – Iowa Autism Council
Robin Sampson – Iowa Autism Council
Danielle Sharpe – Iowa Autism Council
Jan Turbes – Iowa Autism Council

Mikeal Cass – Early Childhood Iowa State Board
James Christensen – Early Childhood Iowa State Board

Donald Doudna – Early Childhood Iowa State Board
Jean Stadtlander – Early Childhood Iowa State Board

Eric Goranson – State Board of Education

Larry Hill – Board of Educational Examiners
Merle Johnson – Board of Educational Examiners
Marianne Mickelson – Board of Educational Examiners

LOCAL GOVERNMENT

Richard Heidloff – County Finance Committee
Jane Heun – County Finance Committee
Grant Veeder – County Finance Committee

Teresa Kanning – Mental Health Risk Pool Board
Peggy Rice – Mental Health Risk Pool Board
Shane Walter – Mental Health Risk Pool Board

Richard Stradley – Chair of the Property Assessment Appeal Board

Richard Stradley – Property Assessment Appeal Board

STATE GOVERNMENT

David Gehling – Board of Chiropractic
Nancy Kahle – Board of Chiropractic
Julie Mueller – Board of Chiropractic

Patti Brown – Commission on Community Action Agencies
Tom Quiner – Commission on Community Action Agencies

Dana Atkins – Board of Cosmetology Arts and Sciences
Mary Clausen – Board of Cosmetology Arts and Sciences
Richard Mosley – Board of Cosmetology Arts and Sciences
Nicole Schultz – Board of Cosmetology Arts and Sciences
Kimberly Setzer – Board of Cosmetology Arts and Sciences

Nathaniel Garrels – Commission of Deaf Services
Tina Kastendieck – Commission of Deaf Services
Jennifer Keaton – Commission of Deaf Services

Daniel Deutschman – Board of Dietetics
Bridget Drapeaux – Board of Dietetics
Stacey Loftus – Board of Dietetics

Candace Biddle – Elevator Safety Board

Judy Davidson – Engineering and Land Surveying Examining Board
Jerry Shellberg – Engineering and Land Surveying Examining Board
Marlon Vogt – Engineering and Land Surveying Examining Board

Laura Hawks – Landscape Architectural Examining Board
Catherine Huggins – Landscape Architectural Examining Board
Mark Ripplinger – Landscape Architectural Examining Board

Deborah Burnight – Iowa Lottery Authority Board of Directors
Herman Richter – Iowa Lottery Authority Board of Directors

William (Bill) Cameron – Board of Massage Therapy
Larry Dallenbach – Board of Massage Therapy

Rebecca Ervin – Board of Mortuary Science
Thomas Lange – Board of Mortuary Science
Martin Mitchell – Board of Mortuary Science

Judy Yellowbank – Commission of Native American Affairs

Daniel Boor – Board of Nursing Home Administrators
Maureen Cahill – Board of Nursing Home Administrators
Shane Gaukel – Board of Nursing Home Administrators

Morris Blankespoor – Board of Physical and Occupational Therapy
Bradley Earp – Board of Physical and Occupational Therapy
Jaclyn Fleming – Board of Physical and Occupational Therapy
Jennifer Furness – Board of Physical and Occupational Therapy

Jon Ahrendsen – Board of Physician Assistants
Gary Nystrom – Board of Physician Assistants

John Bennett – Board of Podiatry
Gerald Edgar – Board of Podiatry

Sarah Henderson – Board of Psychology
Ralph Scott – Board of Psychology
Heidi Vermeer-Quist – Board of Psychology

Gene Nelsen – Real Estate Appraiser Examining Board
Joan Scotter – Real Estate Appraiser Examining Board
Caryl Swaim – Real Estate Appraiser Examining Board

Akshay Mahadevia – Board of Respiratory Care
Mary Tyrrel – Board of Respiratory Care

Christine Donner-Tiernan – Board of Speech Pathology and Audiology
Alison Lemke – Board of Speech Pathology and Audiology
Denise Renaud – Board of Speech Pathology and Audiology

Betty Gustafson – Iowa Board of Veterinary Medicine
James Kenyon – Iowa Board of Veterinary Medicine
Kelli Madson – Iowa Board of Veterinary Medicine

Elizabeth Coonan – Commission on the Status of Women

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Jeffrey Ward – Executive Director of the Agricultural Development Authority

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

Elizabeth Coonan – Commission on the Status of Women

JEFF DANIELSON

WITHDRAWAL AND DEFERRAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on March 17, 2011:

I am withdrawing the name of Thomas Lange to serve as a Board of Mortuary Science member from further consideration by the Senate.

Pursuant to Iowa Code section 147.14(1)(p), please accept this letter as the notice of deferment of the appointment to the Board of Mortuary Science, formerly held by Tyrone Orr. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3132	H.F.	195	Veterans Affairs
S-3133	S.F.	396	Matt McCoy